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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CAPSTACK PARTNERS, LLC, a
Delaware limited liability company,

Plaintiff,

v.

CAPSTAK, INC., a Delaware corporation,

Defendant.

CASE NO.: 3:18-cv-00007-RCJ-WGC

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND TIME FOR
CAPSTACK PARTNERS, LLC TO
RESPOND TO CAPSTAK, INC.'S
MOTION FOR SANCTIONS PURSUANT
TO FRCP 11**

(First Request)

Pursuant to LR IA 6-1 and 6-2, Plaintiff/Counterdefendant CapStack Partners, LLC (“CapStack Partners”) hereby respectfully requests that the time for CapStack Partners to respond to Capstak’s Motion for Sanctions and supporting documents filed on March 14, 2018 (ECF Nos. 20-23) be extended until Honorable Judge Jones decides CapStack Partners’s Motion to Strike Capstak, Inc.’s Motion for Sanctions Pursuant to FRCP 11 filed on March 15, 2018 (ECF Nos. 24-25). Defendant/Counterclaimant Capstak, Inc. (“Capstak”) does not object. Specifically, the parties stipulate that in the event CapStack Partners’ Motion to Strike (ECF Nos. 24-25) is denied, CapStack Partners will have 14 days from the date of denial to respond to Capstak’s Rule 11 Motion.

CapStack Partners’ opposition to Capstak’s Rule 11 Motion is currently due March 28, 2018. While the parties have informally agreed to a week extension from the March 28, 2018

1 deadline, the parties respectfully submit that this proposed stipulation will reduce attorneys' fees
2 and costs, as well as court resources. Also, in the event CapStack Partners' Motion to Strike is
3 granted, briefing on the pending Rule 11 Motion would be unnecessary. The parties have
4 worked together in good faith since Friday, March 16, 2018 to arrive at this Stipulation and avoid
5 emergency motion practice on this issue.

6 This Stipulation is made for good cause, and not for the purposes of delay.

7 **IT IS SO STIPULATED:**

8 DATED this 21st day of March, 2018

DATED this 21st day of March, 2018

9 BROWNSTEIN HYATT FARBER
10 SCHRECK, LLP

MCDONALD CARANO

11
12 By: /s/ Matthew D. Francis
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16 Attorneys for CapStack Partners, LLC

Attorney for Capstak, Inc.

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19 **IT IS SO ORDERED:**

20 
21 UNITED STATES DISTRICT/MAGISTRATE JUDGE

22
23 DATED: _____ April 17, 2018 _____
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CERTIFICATE OF SERVICE

Pursuant to **FRCP 5(b)**, I certify that I am an employee of Brownstein Hyatt Farber Schreck, LLP, and on this 21st day of March, 2018, I served the document entitled **STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME FOR CAPSTACK PARTNERS, LLC TO RESPOND TO CAPSTAK, INC.'S MOTION FOR SANCTIONS PURSUANT TO FRCP 11**, on the parties listed below via the following:

JESSICA L. WOELFEL
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☐ **VIA FIRST CLASS U.S. MAIL:** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Reno, Nevada for delivery to the foregoing.

☐ **VIA FACSIMILE:** by transmitting to a facsimile machine maintained by the person on whom it is served at the facsimile machine telephone number as last given by that person on any document which he/she has filed in the cause and served on the party making the service. The copy of the document served by the facsimile transmission bears a notation of the date and place of transmission and the facsimile telephone number to which it was transmitted.

☐ **BY PERSONAL SERVICE:** by personally hand-delivering or causing to be hand delivered by such designated individual whose particular duties include delivery of such on behalf of the firm, addressed to the individual(s) listed, signed by such individual or his/her representative accepting on his/her behalf.

☐ **VIA COURIER:** by delivering a copy of the document to a courier service for overnight delivery to the foregoing parties.

☒ **VIA ELECTRONIC SERVICE:** by electronically filing the document with the Clerk of the Court using the ECF system which served the foregoing parties electronically.

/s/ Nancy R. Lindsley
Employee of Brownstein Hyatt
Farber Schreck, LLP

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